

IN THE CLAIMS:

Please amend the claims as indicated below.

1. (Currently Amended) A system for communicating data to a location through a communications network, comprising:

a mechanism for identifying first data, which is accorded a higher priority than second data to be processed in the location, a data object for transporting the first data being generated in response to an identification of the first data, the data object having:

a predetermined data transport capacity,

a header, and

an information section,

the first data being contained in the information section of the data object, the first data being without any data overhead portion associated with the first data ~~[[in]]~~ within the information section;

a device for determining whether the predetermined data transport capacity exceeds the size of the first data by at least a threshold, at least some of the second data being inserted into the information section of the data object when it is determined that the predetermined transport capacity exceeds the size of the first data by at least the threshold; and

an interface for providing the data object to the location.

2. (Original) The system of claim 1 wherein the communications network includes a cable network.

3. (Original) The system of claim 2 wherein the location includes a headend.

4. (Original) The system of claim 1 wherein the data object includes a data cell in an asynchronous transfer mode (ATM) format.

5. (Original) The system of claim 1 wherein the data object includes a packet.

6. (Original) The system of claim 1 wherein the threshold has a zero value.
7. (Original) The system of claim 1 wherein the threshold corresponds to the size of an overhead associated with the inserted second data.
8. (Original) The system of claim 7 wherein the overhead includes an indicator indicative of a placement of the inserted second data among the rest of the second data.
9. (Original) The system of claim 1 further comprising a processor for presenting an entertainment program, wherein the first data includes data representing a command for manipulation of a presentation of the entertainment program.
10. (Original) The system of claim 9 wherein the presentation includes a video-on-demand (VOD) presentation.
11. (Original) The system of claim 9 wherein the manipulation includes a selected one of a fast-forward, rewind, play and pause of the presentation.
12. (Original) The system of claim 1 further comprising a processor responsive to a user request for selectively presenting entertainment programming content, wherein the second data concerns selections of entertainment programming content presentations.
13. (Original) The system of claim 1 wherein the second data concerns diagnostics of at least part of the system.
14. (Currently Amended) Apparatus responsive to a command initiated by a user to affect a presentation of an entertainment program, comprising:
  - a processor for generating first data for effecting the command, the first data being accorded a higher priority than second data to be processed in a location remote from the apparatus;

a device for generating a data object for transporting the first data, the data object having: (i) a header, and (ii) an information section, the first data utilizing a portion of a data transport capacity of the information section in the data object, resulting in unused data transport capacity in the information section of the data object, the first data being contained in the information section of the data object, the first data being without any data overhead portion associated with the first data ~~[[in]]~~ within the information section, at least some of the second data being inserted in the information section of the data object to utilize the unused data transport capacity; and

an interface for sending the data object to the remote location for processing thereof.

15. (Original) The apparatus of claim 14 comprising a set-top terminal.

16. (Original) The apparatus of claim 14 wherein the remote location includes a headend in a broadband communications system.

17. (Original) The apparatus of claim 16 wherein the broadband communications system includes a cable network.

18. (Original) The apparatus of claim 14 wherein the data object includes a data cell in an ATM format.

19. (Original) The apparatus of claim 14 wherein the data object includes a packet.

20. (Original) The apparatus of claim 14 wherein the presentation includes a VOD presentation.

21. (Original) The apparatus of claim 14 wherein the command concerns a selected one of a fast-forward, rewind, play and pause of the presentation.

22. (Original) The apparatus of claim 14 further comprising a processor responsive to a

user request for selectively presenting entertainment programming content, wherein the second data concerns selections of entertainment programming content presentations.

23. (Original) The apparatus of claim 14 wherein the second data concerns diagnostics of at least part of the apparatus.

24. (Currently Amended) A method for use in a system for communicating data to a location through a communications network, the method comprising:

- identifying first data, which is accorded a higher priority than second data to be processed in the location;

- generating a data object for transporting the first data in response to an identification of the first data, the data object having:

- a predetermined data transport capacity,

- a header, and

- an information section,

- the first data being contained in the information section of the data object, the first data being without any data overhead portion associated with the first data within the information section;

- determining whether the predetermined data transport capacity exceeds the size of the first data by at least a threshold;

- inserting at least some of the second data into the information section of the data object when it is determined that the predetermined transport capacity exceeds the size of the first data by at least the threshold; and

- providing the data object to the location.

25. (Original) The method of claim 24 wherein the communications network includes a cable network.

26. (Original) The method of claim 25 wherein the location includes a headend.

27. (Original) The method of claim 24 wherein the data object includes a data cell in an ATM format.

28. (Original) The method of claim 24 wherein the data object includes a packet.

29. (Original) The method of claim 24 wherein the threshold has a zero value.

30. (Original) The method of claim 24 wherein the threshold corresponds to the size of an overhead associated with the inserted second data.

31. (Original) The method of claim 30 wherein the overhead includes an indicator indicative of a placement of the inserted second data among the rest of the second data.

32. (Original) The method of claim 24 further comprising presenting an entertainment program, wherein the first data includes data representing a command for manipulation of a presentation of the entertainment program.

33. (Original) The method of claim 32 wherein the presentation includes a video-on-demand (VOD) presentation.

34. (Original) The method of claim 32 wherein the manipulation includes a selected one of a fast-forward, rewind, play and pause of the presentation.

35. (Original) The method of claim 24 further comprising selectively presenting entertainment programming content in response to a user request, wherein the second data concerns selections of entertainment programming content presentations.

36. (Original) The method of claim 24 wherein the second data concerns diagnostics of at least part of the system.

37. (Currently Amended) A method for use in an apparatus responsive to a command

initiated by a user to affect a presentation of an entertainment program, the method comprising:

generating first data for effecting the command, the first data being accorded a higher priority than second data to be processed in a location remote from the apparatus;

generating a data object for transporting the first data, the data object having: (i) a header, and (ii) an information section, the first data utilizing a portion of a data transport capacity of the information section in the data object, resulting in unused data transport capacity in the information section of the data object, the first data being contained in the information section of the data object, the first data being without any data overhead portion associated with the first data [[in]] within the information section;

inserting at least some of the second data in the information section of the data object to utilize the unused data transport capacity; and

sending the data object to the remote location for processing thereof.

38. (Original) The method of claim 37 wherein the data object includes a data cell in an ATM format.

39. (Original) The method of claim 37 wherein the data object includes a packet.

40. (Original) The method of claim 37 wherein the presentation includes a VOD presentation.

41. (Original) The method of claim 37 wherein the command concerns a selected one of a fast-forward, rewind, play and pause of the presentation.

42. (Original) The method of claim 37 further comprising selectively presenting entertainment programming content in response to a user request, wherein the second data concerns selections of entertainment programming content presentations.

43. (Original) The method of claim 37 wherein the second data concerns diagnostics of at least part of the apparatus.